



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/526,995	03/07/2005	Daniel Jon Gesmer	GIPAC/114/PC/US	7950
2543 7590 03/30/2007 ALIX YALE & RISTAS LLP 750 MAIN STREET SUITE 1400 HARTFORD, CT 06103			EXAMINER COLLADO, CYNTHIA FRANCISCA	
			ART UNIT 3618	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/30/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/526,995	Applicant(s) GESMER ET AL.	
	Examiner Cynthia F. Collado	Art Unit 3618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09/05/2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09/05/2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Gesmer et al (US Patent No.5, 263,725)

Regarding claim 1, Gesmer discloses a first base part (fig 2, element 70) having a first pair of mounting holes through each of which respective ones of a pair of fasteners can extend to secure the truck to a deck(fig 5, element 70), and second and third pairs of mounting holes, through either pair of which respective ones of a further pair of fasteners can extend to secure the truck to the deck (fig 5, elements 74 and 114), a second base part secured to the first base part and including an integral bearing plate (fig 5, element 74) and (fig 5, element 86), a hanger bearing against the bearing plate and attached pivotally to the first base part by a pivot pin extending through the second base part(fig 5, element 42), and a pair of springs mounted to the second base part and attached to the hanger(fig 4, element 160).

Regarding claim 2, Gesmer discloses wherein the second and third mounting holes are positioned at one of two fastener-access cavities formed in the first base part (fig 5, element 74).

Regarding claim 3, Gesmer discloses wherein the bearing plate of the second base part extends at least partly over the fastener-access cavities at the rear of the first base part (fig 2, elements 76 and 70).

Regarding claim 4, Gesmer discloses wherein the pivot pin passes through a bushing (fig 5, elements 26 and 90).

Regarding claim 5, Gesmer discloses wherein the first and second base parts are cast/moulded from different materials (fig 2, elements 70 and 74).

Regarding claim 6, Gesmer discloses wherein an adjustment mechanism adjusts pre-load in the springs (fig 6, elements 158 and 159).

Regarding claim 7, Gesmer discloses wherein the adjustment mechanism includes an adjustment screw and nut between each spring and the hanger (fig 6, elements 158 and 159).

Regarding claim 8, Gesmer discloses wherein the springs comprise primary coil springs (fig 6, element 160).

Art Unit: 3618

Regarding claim 9, Gesmer discloses wherein supplementary coil springs are located within the primary coil springs (fig 5, element 132 and 130).

Regarding claim 10, Gesmer discloses wherein end portions of each supplementary spring, and at least one end portion of each primary coil spring, are housed by a spring cap sleeve (fig 5, element 142 and 144).

Regarding claim 11, Gesmer discloses wherein the springs are resilient plastics mouldings (col 6, lines 19-22).

Regarding claim 12, Gesmer discloses wherein the spring cap sleeves move in and out of one another like a telescope during spring compression and decompression (fig 5, element 142 and 144).

Regarding claim 13, Gesmer discloses wherein the springs have barrel shapes, non-circular cross-sections and side cut-outs (fig 4, elements 130 and 132).

Regarding claim 14, Gesmer discloses wherein the hanger includes a co-linear axle assembly formed of the same or similar material as that from which the hanger is fabricated, and includes strengthening inserts formed of a stronger material (fig 5, element 42).

Art Unit: 3618

Regarding claim 15, Gesmer discloses wherein the axle assembly includes an irregularity in its midsection (fig 5, element 48).

Regarding claim 16, Gesmer discloses wherein the hanger is formed from aluminum, titanium or other strong, lightweight material (fig 5, element 43).

Regarding claim 17, Gesmer discloses wherein the axle inserts are steel or other high-strength material (fig 5, element 48).

Regarding claim 18, Gesmer discloses wherein the second base part is formed of moulded plastics material (fig 4, element 74).

Regarding claim 19, Gesmer discloses wherein the moulded plastics material is chosen to provide good lubricity between the bearing plate and the hanger and a small degree of flexibility at outer edges of the bearing plate (fig 5, element 74).

Regarding claim 20, Gesmer discloses wherein the first base part includes a mounting surface that is tightened against a deck by fasteners passing through the holes (fig 2, element 70).

Regarding claim 21, Gesmer discloses wherein the bearing plate extends at an acute angle with respect to the mounting surface and the pivot pin extends normally to the

Art Unit: 3618

bearing plate (fig 5, element 86).

Regarding claim 22, Gesmer discloses wherein the second base part includes a pair of holes aligned with the first pair of holes of the first base part and the first pair of fasteners extends through the aligned holes and assist in securing the first base part to the second base part (fig 2, element 70 and 76).

Regarding claim 23, Gesmer discloses wherein the pivot pin has a threaded end that is protected and fastened within a recess of the first base part, so as not only to pull the hanger against the bearing plate but also to assist in securing the first base part to the second base part (fig 2, element 26).


Conclusion

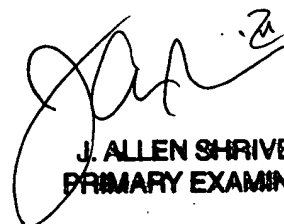
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cynthia F. Collado whose telephone number is (571)2728315. The examiner can normally be reached on mon-fri 8-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Ellis can be reached on (571)2726914. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3618

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


CFC 3/26/07


J. ALLEN SHRIVER
PRIMARY EXAMINER